

# MEMORANDUM

Agenda Item No. 3(A)(2)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners


**DATE:** October 1, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution declaring one desktop  
computer with monitor surplus  
and authorizing their donation to  
R.A.I.N. Parents, Inc.

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** October 1, 2013

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 3(A)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 3(A)(2)  
10-1-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING ONE DESKTOP COMPUTER WITH MONITOR SURPLUS AND AUTHORIZING THEIR DONATION TO R.A.I.N. PARENTS, INC. AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT AND EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

**WHEREAS**, the computer and monitor described below were purchased and are owned by Miami-Dade County; and

**WHEREAS**, the computer and monitor are obsolete, and their continued usage by Miami-Dade County is uneconomical and inefficient and the computer and monitor serve no useful purpose; and

**WHEREAS**, R.A.I.N. Parents Inc. (the "Donee") desires to use the computer and monitor predominantly within Miami-Dade County to enhance its ability to provide services to its constituents; and

**WHEREAS**, the Donee is an eligible community-based organization, as defined in Section 2-11.2.1 of the Code of Miami-Dade County; and

**WHEREAS**, Miami-Dade County Internal Services Department has complied with the requirements of Section 2-11.2.1, by offering the computer and monitor to other Miami-Dade County Agencies, none of which accepted the computer and monitor; and

**WHEREAS**, the computer and monitor are eligible for donation under Chapter 274 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

Section 1. This Board declares the following computer and monitor, with the listed residual value and other characteristics, to be surplus pursuant to Chapter 274 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County:

<u>Item</u>	<u>I.D. No.</u>	<u>Condition</u>	<u>Est. Value</u>
DC# 810394, Dell XPS 600 Desktop w/monitor	C510T91	Fair	\$300.00

Section 2. This Board authorizes donation of the computer and monitor to the Donee, and authorizes the County Mayor or the Mayor's designee to execute a community based organization agreement and exercise any and all other rights conferred therein. The Donee shall take possession of the computer and monitor within sixty (60) days of the effective date of this resolution. Donee shall be responsible for any and all costs of transferring the property. The County Mayor or Mayor's designee shall and is hereby authorized to take any and all actions necessary to effectuate the intent of this resolution.

Section 3. If, for any reason, the donee fails to take possession of the computer and monitor within sixty (60) days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the computer and monitor shall revert back to the County.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of October, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GKS

Gerald K. Sanchez

**MIAMI-DADE COUNTY  
SURPLUS PROPERTY ALLOCATION APPLICATION**

COUNTY SURPLUS PROPERTY ALLOCATIONS REQUESTED THROUGH THIS PROCESS ARE NOT EFFECTIVE UNTIL APPROVED BY  
ACTION OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO THE MIAMI-DADE COUNTY HOME RULE CHARTER

Please complete the following form and submit completed form along with requested materials to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department-Fixed Assets Manager  
2225 N. W. 72 Ave  
Miami, FL 33122

Phone: (305) 592-3752  
Fax: (305) 592-3616

1. Full legal name of the requesting organization: RAINPARENTS, INC
2. Applicant Status: (Select one of the choices below)

- ☒ Not-For-Profit or Tax Exempt                      ☐ Local Government or Public Entity  
☐ For-Profit  
☐ Other (specify): \_\_\_\_\_

**\*\*If Not-For-Profit or Tax Exempt, please attach a copy of Internal Revenue Service 501C3 certification.**

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.):

Wilfrida Serrano  
1420 Washington Ave Miami Beach, FL 33139

4. Specify the surplus property requested (quantify, I (1) computer

5. Specify the purpose for which the surplus property will be used: \_\_\_\_\_  
The property will be used for the parents of the community for computer training

I hereby certify that all the statements made in this application are true and correct.

Wilfrida Serrano  
Signature of Authorized Representative

6/13/2013  
Date

## **Community Based Organization Donation Agreement**

This agreement is entered into between Miami-Dade County (hereafter "County") and R.A.I.N. Parents, Inc (hereafter "Donee") as follows:

For and in Consideration of the County donating one Dell desktop computer surplus to Donee, and Donee agreeing to the use and as described herein:  
DC # 810394, S/N C510T91, Dell XPS 600 Desktop Computer AS IS,

Donee certifies that it is a not-for-profit agency, group, organization, society, association, corporation, partnership or individual that provides a community service designed to improve or enhance the well-being of the community of Miami-Dade County at large or to improve or enhance the well-being of certain individuals within this community that have special needs.

Donee agrees that it shall predominantly utilize the donated surplus property for the intended use specified in section no. 5 of the "Surplus Property Allocation Application", attached hereto. (Attachment A) Moreover, this Community Based Organization (CBO) shall not resell or otherwise dispose of or transfer such property without prior County approval for a period of not less than three (3) years from the date of receipt of the surplus property. This three (3) year requirement may be waived administratively by the Mayor or designee upon showing that it is in the best interest of Miami Dade County. Upon the disposal of such property, Donee agrees to notify Miami Dade County. Upon the failure of the Donee to use the property as set forth in the "Surplus Property Allocation Application", or upon the Donee's attempt to dispose of or transfer the property prior to the expiration of the three (3) year period set forth herein, title to the surplus property shall immediately revert to the County and Donee shall immediately return possession of the property to the County.

The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the transfer of ownership, maintenance or use of the donated property or by subsequent acts by the Donee, its agents, employees, et.al., and/or the performance of this Agreement by the Donee or its employees, agents, servants, partners, principals. The Donee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

## Community Based Organization Donation Agreement

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

R.A.I.N. Parents, Inc

\_\_\_\_\_  
Name of CBO

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Miami-Dade County

By: \_\_\_\_\_

Date: \_\_\_\_\_



1-800-HELP-FLA (435-7352)  
www.800helpfla.com  
www.freshfromflorida.com



DIVISION OF CONSUMER SERVICES  
2005 APALACHEE PKWY  
TALLAHASSEE FL 32399-6500

**FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES**  
**COMMISSIONER ADAM H. PUTNAM**

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July 3, 2012

Refer To: CH7464

R.A.I.N. PARENTS, INC.  
1420 WASHINGTON AVE  
MIAMI BEACH, FL 33139-4110

RE: R.A.I.N. PARENTS, INC.  
REGISTRATION#: CH7464  
EXPIRATION DATE: May 6, 2013

Dear Sir or Madam:

The above-named organization/sponsor has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THIS LETTER SHOULD BE RETAINED FOR YOUR RECORDS.

Every charitable organization or sponsor which is required to register under s. 496.405 must conspicuously display the registration number issued by the Department and in capital letters the following statement on every printed solicitation, written confirmation, receipt, or reminder of a contribution:

"A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE."

The Solicitation of Contributions Act requires an annual renewal statement to be filed on or before the date of expiration of the previous registration. The Department will send a renewal package approximately 60 days prior to the date of expiration as shown above.

Thank you for your cooperation. If we may be of further assistance, please contact the Solicitation of Contributions section.

Sincerely,

*Sebrina Jones*

Sebrina Jones  
Regulatory Consultant  
850-410-3687  
Fax: 850-410-3804  
E-mail: sebrina.jones@freshfromflorida.com



Department of the Treasury  
Internal Revenue Service  
Ogden UT 84201

For assistance, call:  
1-877-829-5500  
FAX 801-620-5670

Notice Number: CP211A  
Date: May 6, 2013

024219.180125.0085.002 1 AT 0.384 373



Taxpayer Identification Number:  
65-0619078

Tax Form: 990

Tax Period: December 31, 2012



REFERRAL AND INFORMATION NETWORK  
RAIN PARENTS INC  
1420 WASHINGTON AVE  
MIAMI BEACH FL 33139-4110

24219

## APPLICATION FOR EXTENSION OF TIME TO FILE AN EXEMPT ORGANIZATION RETURN - APPROVED

We received and approved your Form 8868, Application for Extension of Time to File an Exempt Organization Return, for the return (form) and tax period identified above. Your extended due date to file your return is **August 15, 2013**.

When it's time to file your Form 990, 990-EZ, 990-PF or 1120-POL, you should consider filing electronically. Electronic filing is the fastest, easiest and most accurate way to file your return. For more information, visit the Charities and Nonprofit web at [www.irs.gov/eo](http://www.irs.gov/eo). This site will provide information about:

- The type of returns that can be filed electronically,
- approved e-File providers, and
- if you are required to file electronically.

If you have any questions, please call us at the number shown above, or you may write us at the address shown at the top of this letter.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: FEB 06 2001

REFERRAL AND INFORMATION NETWORK  
PARENTS INC  
C/O JOSE GANDRICO  
1205 DREXEL AVE SECOND FLOOR  
MIAMI BEACH, FL 33139

Employer Identification Number:  
65-0619078

DLN:

200322001

Contact Person:

JUDY L JONES

ID# 75174

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

May 22, 1998

Addendum Applies:

Yes

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are

Letter 1050 (DO/CG)

REFERRAL AND INFORMATION NETWORK

not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

*Steven T. Miller*

Steven T. Miller  
Director, Exempt Organizations

Enclosure:  
Addendum

Letter 1050 (DO/CG)